

REMARKS

Claim 17 has been amended. Claims 17-22 are still pending in the present application. Reexamination and allowance of the pending claims are respectfully requested.

Claims 17-20 and 22 stand rejected under 35 USC 102(e) as being anticipated by USP 5,137,044 to Brady ("Brady"). This rejection is respectfully traversed.

Independent claim 17 recites, among other limitations, that a fabric material covers the vertical panel. In contrast, the spring steel hoop 47 in the FIG. 20 embodiment of Brady does not have any fabric material. Column 12, lines 4-18 of Brady describe this embodiment, and describe the spring steel hoop 47 as a support mechanism to support the tent 20. This portion of the specification is completely silent about the possibility of providing a fabric material to cover the hoop 47. Given the fact that the hoop 47 is intended to function as a support and not as a divider of the internal space inside the tent 20, there is absolutely no reason or implication as to why a fabric material would be provided to cover the hoop 47. Thus, claim 17 is submitted to be allowable over Brady.

Claims 17-18 and 20-22 stand rejected under 35 USC 102(e) as being anticipated by, or under 35 USC 103(a) as being unpatentable over, U.K. Patent No. 2340516 to Stewart ("Stewart"). This rejection is respectfully traversed.

Claim 17 has been amended to recite that the angled panel is coupled to the vertical panel at an angle with respect to the vertical panel when the structure is in a fully erected position. In contrast, Stewart does not disclose a vertical panel when the structure is in a fully erected position. The Examiner relies on FIG. 2 of Stewart as showing that the panel 4 is vertical. However, FIG. 2 of Stewart "illustrates the tent structure in a partially erect condition" (see page 4 of Stewart), and there is no disclosure that the panel 6 in FIG. 2 is even shown to be vertical. In fact, the panel 6 in FIG. 2 appears to be angled (compare the orientation between the panels 4 and 6 in FIG. 2), and is not vertical. In addition, FIG. 3 of Stewart shows the tent structure in a fully erected position (see page 5) where it is clear that both panels 4 and 6 are not vertical. This "fully erect" position is important because the tent structure in Stewart cannot be deployed in its fully erect position with the panel 6 in a vertical position, for the same reasons as the Brady and Tsai structures distinguished in Applicant's Amendment dated May 26, 2005.

Claims 17-22 stand rejected under 35 USC 103(a) as being unpatentable over Japanese Patent No. 8-57164 ("JP") in view of USP 5,582,197 to Dobberstein ("ZZ"). This rejection is respectfully traversed.

First, Applicant notes that JP is no more relevant than the Brady, Stewart and Tsai references that had been cited previously, and is cumulative. The Examiner is relying on FIGS. 2 and 5 of Dobberstein to teach the vertical panel. However, the structures in FIGS. 2 and 5 of Dobberstein do not have a vertical panel. In particular, column 4, lines 39-47 of Dobberstein disclose that the panels 4, 6, 8 in FIGS. 2 and 5 provide an "irregular triangular profile", and even disclose the angles for the panels 4, 6, 8. This text even states that the "irregular nature of the frame facilitates energy reflection and absorption, while maintaining stability of the tent 2 under windy conditions". Thus, Dobberstein is actually teaching away from a vertical panel by asserting that the "irregular" profile is more effective. Also, a cursory review of FIG. 5 will reveal that the frame 12 that forms the panel 8 is angled. Thus, even if Dobberstein can be properly combined with JP (which Applicant disputes), such a combination would still not yield the claimed invention.

In light of the above, allowance of all pending claims is respectfully requested. The Examiner is invited to telephone the undersigned if there are any informal matters that can be resolved in a phone conversation, or if the Examiner has any suggestions or ideas that would further advance the prosecution of this case.

Respectfully Submitted,



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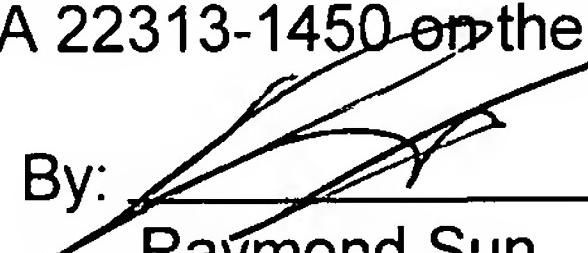
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